

R381-60-11: CHILD SUPERVISION AND SECURITY

This section explains the rules regarding the supervision and security of the children.

Supervision is basic to maintaining the health and safety of children and providing quality child care. Children must be supervised not only to protect them from physical injury, but from harm that can occur from topics discussed by children or by inappropriate behavior. It is the responsibility of caregivers to monitor what children are doing and talking about, and intervene when necessary. *CFOC 3rd ed. Standard 2.2.0.1. p. 65.*

Supervision rules apply to all children in care. This includes the provider's and employees' children younger than 4 years old when those children are with other qualifying children while on the premises, being transported, or participating in offsite activities.

Rule	Child's Age	Unrelated Child	Provider's Own Child	Caregiver's Own Child	Other Related Child
Do supervision rules apply to the child?	0-3 Years	Yes	Yes	Yes	Yes
	4 Years & older	Yes	No ¹	No ¹	Yes
¹ The supervision rules do not apply to the provider's and caregivers' children who are 4 years old and older as long as the provider or caregiver is working at the facility or performing work-related duties.					

Refer to the following guidelines:

- Supervision means having awareness of and responsibility for each child, and being near enough to intervene as needed.
- Any individual who counts in the caregiver-to-child ratio is responsible for the supervision and security of the children.
- It is a lack of supervision if any child is left in the care of an individual younger than 16 years old. Individuals who are 16 or 17 years old may be caregivers, but may not be left alone with a child in care on the premises, in vehicles, or during offsite activities
- All supervision rules apply to the provider's and caregivers' qualifying children while in care at the facility, during transportation, and during offsite activities.
- It is not a lack of supervision if the provider or caregiver gives permission for their own children to leave the premises in the company of another person (including a sibling).

- (1) The provider shall ensure that caregivers provide and maintain active supervision of each child at all times.**

Rationale / Explanation

Supervision of children is essential in the prevention of harm. Parents have an expectation that their children will be supervised when in the care of the provider. To be available for supervision as well as rescue in an emergency, a caregiver must be aware of each child at all times. *CFOC 3rd ed. Standard 2.2.0.1. pp. 64-66.*

Children like to test their skills and abilities. This is particularly noticeable around playground equipment. Serious injuries can happen if children are left unsupervised when children are outdoors. *CFOC 3rd ed. Standard 2.2.0.1. p. 65.*

Young children and those with special needs require the constant and close presence, guidance, and protection of a caregiver. Children who are engaged in a quiet activity, including those who are napping or resting, still require active supervision.

Compliance Guidelines

These compliance guidelines and corrective actions apply to both R381-60(11)(1) and R381-60(11)(2)(a)-(f) since R381-60(11)(2)(a)-(f) is an explanation of R381-60(11)(1).

Actively supervising children requires that caregivers:

- Supervise children both inside the facility and in the outdoor area.
- Are physically present in a room or area with infants, toddlers and preschoolers. Being physically present means being able to see and hear each child, and being near enough to intervene when necessary.
- Can hear school-age children and are close enough to intervene.
- Know how many children are in care. (Constantly counting the number of children in care and checking attendance logs will help caregivers to verify how many children are being cared for.)
- Focus their attention on the children rather than on a personal task such as visiting with another adult, talking on a cell phone, text messaging, reading, lesson planning, napping (even when children are napping), or performing tasks unrelated to child care. It is a rule violation, if a personal task, such as texting or talking on a cell phone, interferes with a caregiver's active supervision of the children.
- Are positioned to be aware of and actively supervise each child in the group.

Inside Supervision

Active supervision is assessed based on the following descriptions of a "room," which affect a caregiver's ability to see and/or hear children and intervene when necessary.

When a large room is divided into smaller rooms/areas with barriers such as furniture or with half walls, the room/area will be considered:

- One room, when the room is divided by a solid barrier that is 24 inches or less, whether the barrier is movable or immovable.
- One room, when the room is divided by a solid barrier that is between 25 and 40 inches in height and there is an opening in the barrier through which caregivers and children can move freely.
- Two rooms, when the room is divided by a solid barrier that is between 25 and 40 inches in height and there is no opening in the barrier through which caregivers and children can move freely, or there is an opening between the two sides but the opening is blocked such as with a child safety gate. This applies to a diaper changing station that is located behind a closed gate.
- Two rooms, when the room is divided by a solid barrier that is over 40 inches in height and there is no opening in the barrier through which caregivers and children can move freely, or there is an opening between the two sides but the opening is blocked such as with a child safety gate. If there is an opening through which caregivers and children can move freely and if the opening is not blocked, refer to the instructions for a large opening, archway, or doorway.

When two rooms/areas are connected by a large opening, archway, or doorway, the rooms/areas will be considered:

- One room, when the width of the opening or archway is equal to or greater than the combined width of the walls on each side of the opening or archway (in the larger of the two rooms/areas), and there is no furniture or other dividers blocking the opening or archway. Otherwise this will be considered two rooms.
- Two rooms, when the width of the opening or archway is smaller than the combined width of the walls on each side of the opening or archway (in the larger of the two rooms/areas).
 - If one of the two rooms is a bathroom for children or a room in which children's diapers are changed, one caregiver (or more, depending on the number of children present) may supervise both rooms.

Outside Supervision

For supervision to be in compliance, there must be a staff member (or more, depending on the number of children) in each outdoor area. Staff may not supervise children from outside of a fence.

When determining the number of caregivers required for supervision in outdoor areas separated by interior fences, consider it:

- One area – when the interior fence is 24 inches or lower in height, whether or not the fence has an opening.
- One area – when the interior fence is 40 inches or lower in height with an opening through which caregivers and children can move freely.
- Two areas – when the interior fence is higher than 24 inches and there is no opening.
- Two areas – when the interior fence is higher than 40 inches whether or not the fence has an opening.

OUTDOOR AREA SEPARATED BY INTERIOR FENCE IS CONSIDERED ONE AREA



Interior fence is 24" or lower



Interior fence is 40" or lower

OUTDOOR AREA SEPARATED BY INTERIOR FENCE IS CONSIDERED TWO AREAS



Interior fence is higher than 24"



Interior fence is higher than 40"

The following guidelines apply to the assessment of this rule both indoors and outdoors.

- Children age 3 years and older may be allowed to leave the room or playground by themselves to use the bathroom or get a drink from an indoor drinking fountain, except when the bathroom is shared by the public (such as a bathroom in a gym, rec center, or park). This practice is allowed as long as the provider has and follows a written policy that includes the following:
 - Only one child at a time from each group may be allowed to go to the bathroom or to get a drink from an indoor drinking fountain. Another child cannot be allowed to leave until the previous child has returned.
 - The caregiver must track the time each child is gone, to make sure each child returns in a reasonable amount of time.
 - Building exits must be effectively monitored to ensure that children who are sent inside to use the bathroom or get a drink do not leave the building from another exit.

It is not out of compliance if:

- An infant or toddler is in a playpen or play yard and a caregiver is in the same room/area, can see and hear the child, is near enough to intervene when necessary, and can reach each child without having to open a gate.
- There is a caregiver in the room but their back is turned to the children.
- Caregivers send a school-age child on a brief errand out of the classroom (for example, to take something to the office or to get a drink from an indoor drinking fountain).
- For children age 2 years and older, caregivers are positioned in an open doorway, opening, or archway between two rooms and can see and hear all the children in both rooms as long as ratios are maintained.
- During an inspection, the licenser takes the caregiver to show or explain a rule violation.

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning when:

- There is no qualified caregiver in the room or area with children younger than 5 years of age (including if the only caregiver in the room or area is napping).
- Lack of supervision results in:
 - A lost child
 - A child being left on an offsite activity
 - A child being left unattended in a vehicle
 - A child is left unsupervised at a pool
 - A child being left at the center after closing hours
- An exterior door is left open without a caregiver in the room allowing children to exit the facility without supervision.
- A caregiver was unable to accurately account for all of the children, including in an emergency evacuation.
- Any child is left in the care of an individual younger than 16 years old. (Individuals who are 16 or 17 years old may be caregivers, but may not be left alone with a child in care on the premises, in vehicles, or during offsite activities).

Moderate Risk Rule Violation Corrective Action for 1st Instance

Citation Warning when:

- A caregiver can see the children, but the caregiver is not in the same room with the children.
- School-age children are unsupervised (any lack of supervision that is not listed as high risk).
- A caregiver leaves the children unsupervised to open the front door if the children are on the same floor and the room is in close proximity to the door.
- Children are in adjacent rooms with an open door or archway between the rooms, however, there is a caregiver in only one of the rooms.
- The caregiver's attention is not on the children but on the caregiver's personal interests.

(2) Active supervision shall include:

- (a) for children younger than 5 years of age, the caregiver shall be physically present in the room or area with the children;**
- (b) for school-age children, the caregiver shall be able to hear the children and be close enough to intervene;**
- (c) caregivers shall know the number of children in their care at all times;**
- (d) caregivers' attention shall be focused on the children and not on caregivers' personal interests;**
- (e) caregivers shall be aware of the entire group of children even when interacting with a smaller group or an individual child; and**
- (f) caregivers shall position themselves so all children in their assigned group are actively supervised.**

Rationale / Explanation

Supervision of children is basic to the prevention of harm. Adults who are involved, aware, and responsive to children's behaviors are in the best position to safeguard their well-being. *CFOC 3rd ed. Standard 2.2.0.1. pp. 64-66.*

To confirm the safe whereabouts of every child at all times, there should be a system in place where caregivers regularly account for each child. For example, caregivers should count children (name to face) at every transition, whenever leaving one area and arriving at another, and when going indoors or outdoors. *CFOC 3rd ed. Standard 2.2.0.1. pp. 64-66.*

Compliance Guidelines

- Refer to R381-60(11)(1) above for compliance guidelines and corrective actions.

(3) When video cameras and mirrors are used to supervise napping children:

- (a) the napping room shall be adjacent to a non-napping room;**
- (b) there shall be a staff member in the non-napping room;**
- (c) cameras or mirrors shall be positioned so that every child can be seen;**
- (d) the staff member shall be able to see and hear each child;**
- (e) there shall be an open door without a barrier, such as a gate, between the napping room and the non-napping room; and**
- (f) children who wake up shall be moved to the non-napping room.**

Rationale / Explanation

The requirement that resting or sleeping children should be appropriately supervised is not only to ensure safety, but also to prevent inappropriate behavior from taking place that may go undetected if a caregiver is not present. It is recommended that a caregiver always remain in the napping room. *CFOC 3rd ed. Standard 1.1.1.2. pp. 4-5.*

Supervision using video cameras and mirrors does not replace the benefit of personally observing children in close proximity. However, these devices can help with active supervision as long as the caregivers are alert, can see each child, and remain close enough to intervene whenever needed.

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning

- (4) **A blanket or other item shall not be placed over sleeping equipment in such a way that prevents the caregiver from seeing the sleeping child.**

Rationale / Explanation

It is crucial for a caregiver to have a clear view of each child they supervise, even during naptime. A caregiver must be able to see that a child is breathing and healthy, is not overheated, is in a safe sleep position, and that there are no hazards. Also, children who are thought to be sleeping could be awake and in need of attention. *CFOC 3rd ed. Standard 1.1.1.1. p.3; Standard 2.2.0.1. p. 64.*

Compliance Guidelines

- A provider may use an enclosed porta-crib as long as the porta-crib window and top remain open so that the child can be visually checked.
- If a blanket or other item is draped over sleeping equipment and a child in the equipment cannot be seen without moving the item, the child in the equipment is not being supervised.

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning

- (5) **Whenever a child is in care, the child's parent shall have access to their child and the areas used to care for their child.**

Rationale / Explanation

Allowing parents unrestricted access to their children and all areas of the facility that are used for child care is one of the most important methods of preventing abuse and maltreatment of children in care. When access is restricted, areas observable by parents may not reflect the care that children actually receive. *CFOC 3rd ed. Standard 2.3.1.2. p. 78; Standard 9.4.1.6. pp. 380-381.*

Compliance Guidelines

- If the facility's doors are locked for security reasons, the provider must have a way to allow authorized parents to enter in a timely manner.
- Although not required by CCL, three common ways of securing a child care facility while allowing immediate access to parents include:
 - Using a keypad system in which parents can enter a code or use a fingerprint.
 - Monitoring an entrance visually or with audio and using a wi-fi enabled lock to buzz parents in.
 - Leaving one door unlocked and having a buzzer or doorbell that rings each time someone enters the facility.

Moderate Risk Rule Violation
Corrective Action for 1st Instance
Citation Warning

- (6) **To maintain security and supervision of children, the provider shall ensure that:**
- (a) each child is signed in and out;**
 - (b) only parents or persons with written authorization from the parent may sign out a child;**
 - (c) photo identification is required if the individual signing the child in or out is unknown to the provider;**
 - (d) persons signing children in and out use identifiers, such as a signature, initials, or electronic code;**
 - (e) the sign-in and sign-out records include the date and time each child arrives and leaves; and**
 - (f) there is written permission from their parents if school-age children sign themselves in and out.**

Rationale / Explanation

The provider should have a sign-in and out system to track who enters and exits the facility. This helps maintain a secure environment for children and staff, helps caregivers know which children are in care, and helps ensure that all individuals in the building are evacuated in case of an emergency. *CFOC 3rd ed. Standard 9.2.4.7. p. 371.*

Releasing a child into the care of an unauthorized person may put the child at risk. Proper release procedures should be followed to maintain the safety and security of each child. *CFOC 3rd ed. Standard 9.2.4.8. pp. 371-372.*

Keeping accurate records of arrivals and departures is critical in establishing which children are in care at any given time including during an emergency. Knowing the number of children present also helps in making sure there are no missing children, maintaining the caregiver-to-child ratio, tracking the child care reimbursement that is owed, and provides documentation in the event of child abuse allegations or legal action involving the facility. *CFOC 3rd ed. Standard 9.2.4.10. pp. 372-373.*

Compliance Guidelines

- There must be a separate signature for each time a child is signed in and for each time a child is signed out.
- Rule requires that anyone signing a child out of child care has the parent's written authorization. This authorization is not required when signing a child into the child care facility.
- The person signing a child out must use their own signature or identifier, not the signature of the parent.
- The provider may accept an electronic permission statement (such as an email or text message) from the parent for an individual to sign out their child as long as the caregiver can confirm the sender's identity.
- An electronic computer system that uses an identification code to sign children in and out meets the intent of this rule.
- A caregiver may release a child to a person younger than 18 years old as long as the person has written authorization from the child's parent to sign the child out.
- Providers and employees must sign in and out their own qualifying children who are in care.

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning when:

- An unauthorized person is allowed to take a child from the facility.
- The provider allows a school-age child to sign out of child care without having permission from the parent.

Low Risk Rule Violation

Corrective Action for 1st Instance

Warning otherwise.

- (7) **In an emergency, the caregiver shall accept the parent's verbal authorization to release a child when the caregiver can confirm the identity of:**
- (a) the person giving verbal authorization, and**
 - (b) the person picking up the child.**

Rationale / Explanation

In case of an emergency, it may be necessary for a caregiver to release a child based on the parent's verbal rather than written authorization. For the protection of the child and the provider, this should not be a routine practice.

Compliance Guidelines

- In an emergency, a parent may use an electronic means (such as an email or text message) as authorization to release their child as long as the caregiver can confirm the sender's identity.

Low Risk Rule Violation

Corrective Action for 1st Instance

Warning

- (8) **A six-week record of each child's daily attendance, including sign-in and sign-out records, shall be kept on-site for review by the Department.**

Rationale / Explanation

Keeping accurate records of arrivals and departures is critical to establishing which children are in care at the facility at any given time, and how many caregivers are needed for appropriate supervision. *CFOC 3rd ed. Standard 9.2.4.10. pp. 372-373.*

Low Risk Rule Violation

Corrective Action for 1st Instance

Warning